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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

INDIGENOUS ISSUES

Written statement submitted by the International Indian Treaty Council, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 January 1999]

GE.99-11216 (E)

1. The International Indian Treaty Council (IITC) hereby submits this written statement on behalf of the Gwich'in Steering Committee, a representative body of the Gwich'in Nation.

2. The United States Congress is responsible for decisions regarding proposed oil development in the birthplace of the Porcupine Caribou Herd located on the coastal plain of the Arctic National Wildlife Refuge in north-east Alaska. At this time there is pending legislation (S2589) to conduct 3-D seismic testing for oil on the Refuge, which was introduced to the United States Senate on 8 October 1998. A duplicate bill (HR4755) was introduced to the United States House of Representatives at the same time. Each year, legislation is introduced to open the 1.5 million-acre coastal plain of the 19 million-acre Arctic National Wildlife Refuge to oil development. This area was set aside in 1980 as a "study area"; it would take an Act of Congress to open it to oil development or protect it as wilderness.

3. Congress considers oil development of this sacred area based on economic and environmental impacts. The cultural and human rights impacts on the Gwich'in are not seriously addressed. It is our firm belief that development would have devastating lasting effects on the Gwich'in socially, culturally and spiritually. The basic cultural and human rights of the Gwich'in should be addressed and safeguarded. In this document the spiritual, cultural and social relationship of the Gwich'in to the Porcupine Caribou Herd is described.

4. The Gwich'in people are located in 15 villages within their traditional territories in north-eastern Alaska and north-western Canada. The Gwich'in once numbered 100,000, but since contact was brought upon them there are now only 7,000 survivors. The great decline of the people is due to the onslaught of many diseases, which were brought by newcomers, as well as famine and war. There are 10 bands composing the Gwich'in Nation. The bands all derived from the ancient Di'haii Gwich'in.

5. The Gwich'in people have always been a land-based culture and were once nomadic, following seasonal cycles of game. The way of the Gwich'in is one of respect for the entire and total environment on which their livelihood is reliant. From the time it comes into this world, a child is taught the important value of respect for all life and to believe in the connection between everything in the natural environment. There has always been a very direct relationship between the Gwich'in people and the Porcupine River Caribou Herd; the caribou has ensured the survival of the Gwich'in.

6. The Gwich'in have a story of the creation time when the animals and people were one, before animals and human beings were separated. When this change occurred, the Gwich'in came from the caribou. An agreement between the two was made. From that time forward, the caribou would retain a piece of the Gwich'in heart and the Gwich'in would retain a piece of the caribou heart. In this way the caribou and the Gwich'in are interrelated and part of each other. What befalls the caribou befalls the Gwich'in and vice versa.

7. All the ancient traditional songs and dances of the Gwich'in tell the story of this ancient relationship between the two. The people dance the movements in the exact way that the caribou moves. When the dance is

fulfilled, it is in essence a spiritual walk between the two and the Gwich'in and caribou are one again. That is their venue of spiritual communication.

8. The caribou migrates through Gwich'in homelands to and from the birthplace. When the caribou is within Gwich'in traditional territories or passing through, the Gwich'in work together; in one direction they prepare. The people move to the land where a temporary hunting community is built. This is the time when the life lessons are taught to the younger generation of the Gwich'in people.

9. The women and grandmothers teach the younger women and girls very important traditional skills. The girls are taught the proper names of the animal parts and proper methods of taking care of the meat. They also learn the techniques of tanning the hides for clothing, what part of the animal is used for certain tools, such as needles, hooks, tanning tools and sinew. The elder women tell the younger ones of the family lineage and ties. The young also learn the traditional mother/wife skills and life skills of the women. It is an important time of learning the functions of the tribe.

10. The men and grandfathers teach the skills of manhood to the young men and boys. They learn the hunting skills needed: the methods of stalking and taking the animal, the value of sharing what is taken, the names and memory of the hunting lands and lessons of timing. The young are taught to handle the kill with great care and respect, and to give proper thanks to the Creator for the gift. This teaches the young men of their responsibility to the tribe as a provider. This knowledge is important to the men, because they are the lifeblood of the tribe.

11. The caribou provides the Gwich'in with survival tools such as: needles, awls, hooks, shelter (caribou skin hut), snowshoes, sleds, blankets, clothing for winter and summer, and tanning supplies. The cultural values that are taught consist of the respect for the basic teaching of give and take. Life is sacred.

12. Gwich'in villages are isolated and people rely mostly on wild game to provide all the nutritional needs of the people, requiring a traditional diet to maintain the health of the people. There are grocery stores in the villages, though the cost of freight is so high that the prices are too costly. The people subsist.

13. Vadzaih digii yi dehk'it gwanlii (The Sacred Place Where Life Begins). The coastal plain of the Arctic National Wildlife Refuge has been the birthplace of the caribou since time immemorial. The Gwich'in have always considered this area as a sacred area. In the traditional way of thinking and view of life, they believe that a birthplace of any animal is sacred and should not be disturbed. This ensures the survival of the animal and, in this way, ensures Gwich'in survival.

14. The reasons the Porcupine Caribou Herd uses the coastal plain of the Arctic National Wildlife Refuge for birthing and nursing their young during the early spring and mid-summer months of April, May, June and July are due to these circumstances: the winds from the coast provide relief from the mass of mosquitoes, which harass the young; the coastal plain is a safe haven from

predators. Lastly, the plant life that the coastal plain supports is high in nutritional value for the young, providing them with high energy for the long trek south to their wintering grounds in the traditional territories of the Gwich'in people.

15. The coastal plain is the birthplace of other species. There are 135 species of migratory bird nesting their young during the spring, denning polar bears use the coastal plain during the winter, and the near-extinct musk oxen live on the coastal plain year round.

16. The Gwich'in resisted efforts by multinational oil companies, corporations and the State of Alaska to promote oil development and production on the coastal plain of the Arctic National Wildlife Refuge in 1988. The first Gathering of the Gwich'in Nation in over 100 years was held 5-10 June 1988 in Arctic Village, Alaska. The Gathering was attended by the Gwich'in leadership and elders from each of the Gwich'in villages in Canada and Alaska. The people addressed the issue of the caribou and their culture's intrinsic link to the caribou. A standing resolution was passed and the political arm of the Gwich'in Nation was created to specifically address the continuing threat to cultural existence. The cultural genocide of an existing thriving culture is in question.

17. We call upon the United Nations to formally recognize the potentially devastating impacts of the proposal by the United States Congress to drill for oil on the coastal plain of the Arctic National Wildlife Refuge and to implement effective mechanisms for international oversight and redress in situations where indigenous peoples' cultures are threatened or impacted by the actions of multinational corporations and non-sustainable development.

18. Furthermore, we call upon the United States Congress and the President to reverse this threat of cultural genocide by recognizing the rights of the Gwich'in people to continue to live their way of life by prohibiting development in the calving and post-calving grounds of the Porcupine Caribou Herd and to recognize the 1002 area of the Arctic National Wildlife Refuge as wilderness area to achieve this end.